

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 13449 of 2003

For Approval and Signature:

HON'BLE MR.JUSTICE A.R.DAVE

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1. Whether Reporters of Local Papers may be allowed : NO
to see the judgements?
 2. To be referred to the Reporter or not? : NO
 3. Whether Their Lordships wish to see the fair copy : NO
of the judgement?
 4. Whether this case involves a substantial question : NO
of law as to the interpretation of the Constitution
of India, 1950 of any Order made thereunder?
 5. Whether it is to be circulated to the concerned : NO
Magistrate/Magistrates, Judge/Judges, Tribunal/Tribunals?

ABDUL SHAKUR NOORMOHAMED CHAKI

Versus

STATE OF GUJARAT

Appearance:

1. Special Civil Application No. 13449 of 2003
MR NV ANJARIA for Petitioner No. 1
MR SN SHELAT, ADVOCATE GENERAL with Ms MAITHILI
MEHTA, AGP, for Respondents Nos. 1, 3 & 4
MR RM CHHAYA for Respondent No. 2
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CORAM : HON'BLE MR.JUSTICE A.R.DAVE

Date of decision: 29/07/2004

ORAL JUDGEMENT

RULE. Service of rule is waived by learned AGP Ms. Maithili Mehta for respondents Nos. 1, 3 and 4 and by learned advocate Shri R.M. Chhaya for respondent No. 2. At the request of the learned advocates, the petition is finally heard today.

2. In this petition, the grievance, which has been ventilated by the petitioner, is with regard to inaction on the part of respondent No. 2. The petitioner had made a grievance to respondent No. 2 with regard to allotment of a final plot to him under his letter dated 2.6.2003. As no reply was received from respondent No. 2 the petitioner had addressed a letter dated 30.06.2003 to respondent No. 4, who also is a Member of respondent No. 2-Authority. Upon receipt of letter dated 30.6.2003, respondent No. 4 requested respondent No. 2 to look into the grievance ventilated by the petitioner in his application dated 2.6.2003

3. Looking to the facts of the case, if a direction is given to respondent No. 2 to look into the grievance ventilated by the petitioner in his letter dated 2.6.2003, the petition can be disposed of and justice can also be done to the petitioner.

4. Without going into the merits of the case, respondent No. 2 is directed to look into the grievance of the petitioner, which has been incorporated in his letter dated 2.6.2003, within a period of four weeks from the date of receipt of this order by it and respondent No. 2 shall give reply to the petitioner about the action taken by it, to the petitioner within six weeks from the date of receipt of this order by it.

5. The petitioner shall furnish a copy of this petition to the registry of this court so that, alongwith a copy of this order, the copy of the petition can be forwarded to respondent No. 2. Upon receipt of the order and a copy of the petition, respondent No. 2 shall do the needful as directed hereinabove.

6. In view of the above direction, the grievance of the petitioner would not survive and, therefore, the petition is disposed of. Rule is made absolute to the above extent with no order as to costs.

Direct service is permitted.

(A.R. Dave, J.)
(hn)

